

### III. REMARKS

Claims 1-35 are pending in this application. By this amendment, claims 1,2, 9, 14, 16, 23, 29, 30 and 35 have been amended. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-5, 9, 13, 16-19, 22-26 and 30-33 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Grossman *et al.* (U.S. Patent No. 5,960,175), hereafter "Grossman." Claims 6-8, 10-12, 14-15, 20-21, 27-29 and 34-35 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Grossman in view of Official Notice. These rejections are respectfully traversed for the reasons stated below.

#### A. REJECTION OF CLAIMS 1-5, 9, 13, 16-19, 22-26 and 30-33 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Grossman, Applicant asserts that Grossman does not teach each and every feature of the claimed invention. For example, with respect to independent claim 1 and similarly claimed in claims 9, 16, 23 and 30, Applicant submits that Grossman fails to teach that it is the computer system onto which the software platform is to be installed that is designated by the user. In support of its argument to the contrary, the Office cites Grossman, which states:

The determination and identification process suitably initiates with a determination of whether the server type is Novell, via step 38. As mentioned previously, the FOUND frame of a Novell server has a distinctive, signature mark at some offset in the data portion. Thus, identification in step 38 of the signature mark, e.g. "NOV\$", indicates the

server type as Novell ODI Server. If the server type is Novell, the source address from the FOUND frame along with an indication that the server type is Novell is preferably stored in a database, via step 40. The database for storing such information is suitably stored in a cache table of a memory unit, e.g., a RAM, of client 20, as is well appreciated by those skilled in the art. Col. 4, lines 45-57.

Interpreting Grossman only for the purpose of this response, the determination and identification process of Grossman attempts to determine whether the server type is Novell by identifying a distinction signature mark in the FOUND frame sent by the server. *Id.* To this extent, it is the type of server that the determination and identification process of Grossman attempts to identify. *Id.*; see also col. 4, lines 24-26. However, it is not the server onto which the operating system of Grossman is remotely loaded, but rather, the client. Col. 4, lines 14-20. Nowhere in the cited passage or elsewhere does Grossman teach that its FOUND frame identifies the client onto which the operating system is to be remotely loaded. In contrast, the present invention includes "...designating...a computer system and a software platform to be installed on the designated computer system using an interface." Claim 1. As such, rather than identifying the server type as the determination and identification process of Grossman attempts to do, in the claimed invention a user designates a computer system and a software platform to be installed *on the designated computer system*. For the above reasons, the determination and identification process of Grossman does not teach the designating step of the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to independent claims 1, 9, 16, 23 and 30, Applicant submits that Grossman also fails to teach that a user designates the computer system and software platform. The passage of Grossman cited by the Office states:

The determination and identification process suitably initiates with a determination of whether the server type is Novell, via step 38. As mentioned previously, the FOUND

frame of a Novell server has a distinctive, signature mark at some offset in the data portion. Thus, identification in step 38 of the signature mark, e.g. "NOVS", indicates the server type as Novell ODI Server. If the server type is Novell, the source address from the FOUND frame along with an indication that the server type is Novell is preferably stored in a database, via step 40. The database for storing such information is suitably stored in a cache table of a memory unit, e.g., a RAM, of client 20, as is well appreciated by those skilled in the art. Col. 4, lines 45-57.

To this extent, the determination and identification process of Grossman determines whether the server type is Novell by identifying a distinction signature mark at some offset in the data portion. This determination and identification of Grossman, however, does not involve a designation by a user. Nowhere does Grossman teach that a user designates a computer system and a software platform. In contrast, the present invention includes "...designating, by a user, a computer system and a software platform to be installed on the designated computer system using an interface." Claim 1. As such, the designating of the claimed invention does not simply determine whether the server type is Novell by identifying a distinction signature mark at some offset in the data portion as does the determination and identification process of Grossman, but instead the user designates a computer system and a software platform to be installed on the designated computer system. Thus, the designating step of the present invention is not taught by the determination and identification process of Grossman. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to independent claim 9 and with respect to dependent claim 2, Applicant respectfully submits that Grossman also fails to teach installing a selected software platform onto a computer system having the entered computer system identifiers. As argued above, the Office equates the computer system identifiers with characteristic features of the FOUND frame that pertain to the server in Grossman. To this extent, a computer system in

Grossman having the equivalent of the entered computer system identifiers of the claimed invention would be the server. However, nowhere does Grossman teach installing a selected software platform to the server. Instead, the passage of Grossman cited by the Office describes a single boot ROM for allowing a client "...greater ability in choosing a server from which to boot to the network. Col. 5, lines 30-41. To this extent, Grossman teach that the client the boots from the server, and not that a selected software program is installed onto the server. The claimed invention, in contrast, includes "...installing the selected software platform onto a computer system having the entered computer identifiers." Claim 9. As such, the entered computer identifiers of the claimed invention are not characteristic features of a server from which a client may boot to the network, but instead are of the a computer system onto which the selected software platform is installed. For the above reasons, the booting from a server of Grossman is not equivalent to installing the selected software platform onto a computer system having the entered computer system identifiers as included in the claimed invention. Accordingly, Applicant requests that the rejection be withdrawn.

With further respect to independent claim 16, Applicant respectfully submits that the cited references fail to teach or suggest, *inter alia*, a boot system for creating a boot disk based upon the identified entry. Instead, the employing of the boot ROM of Grossman instigates the sending of the FIND frame and subsequent receipt of FOUND frames containing the characteristic features, which the Office equates with the identified entry. Col. 4, lines 14-29. To this extent, the boot ROM of Grossman cannot be created based upon the information in FOUND frames because the boot ROM generates the FIND frame that provokes the FOUND

frame responses. Col. 4, lines 14-29. Thus, the boot ROM of Grossman does not teach the boot system of the claimed invention. Accordingly, Applicant requests withdrawal of the rejection.

With respect to claim 2, Applicant respectfully submits that Grossman also fails to teach, that the creation of the boot disk is done subsequent to the providing, designating and querying steps. As argued above, the employing of the boot ROM of Grossman instigates the sending of the FIND frame and subsequent receipt of FOUND frames from the servers. Col. 4, lines 14-29; FIG. 4. Nowhere does Grossman teach that the boot ROM is created subsequent to the operations the Office equates with the providing, designating and querying steps of the claimed invention. For the above reasons, the boot ROM of Grossman does not teach the subsequent creation of the boot disk of the claimed invention. Accordingly, Applicants respectfully request withdrawal of the rejection.

With respect to the Offices other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

**B. REJECTION OF CLAIMS 6-8, 10-12, 14-15, 20-21, 27-29 and 34-35 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejection over Grossman in view of Official Notice, Applicant submits that the Office's factual assertion is not properly based upon common knowledge. For example, Applicant asserts that providing a control file having entries of computer system identifiers wherein the entries in the control file further comprise support data

and wherein the support data comprises licensing data and technical data is not obvious to one skilled in the art as asserted by the Office. Applicant further asserts that providing a control file having entries of computer system identifiers wherein the entries in the control file further comprise support data and further comprising the step of displaying the support data from the identified entry is also not obvious to one skilled in the art as asserted by the Office. Applicant still further asserts that providing a control file having entries of computer system identifiers wherein the entries in the control file further comprise support data and further comprising the step of displaying the support data from the identified entry and designating a computer system and a software platform using an interface wherein the designated software platform is installed onto the computer system based upon the support data is also not obvious to one skilled in the art as asserted by the Office. Accordingly, Applicant respectfully requests that the Office support the finding with references that show these features.

Applicant further submits that the combined features of the cited references fail to teach or suggest all of the features of the claimed invention. For example, with respect to independent claims 14, 29 and 35, Applicants hereby incorporate the arguments enumerated above with respect to claims 1, 9, 16, 23 and 30. Accordingly, Applicants request that the Office withdraw its rejections.

With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections

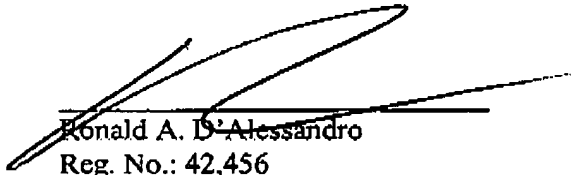
individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

#### V. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

Date: July 12, 2005

  
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